

ORIGINAL

FILED

January 7 2010

*Ed Smith*  
CLERK OF THE SUPREME COURT  
STATE OF MONTANA

IN THE SUPREME COURT OF THE STATE OF MONTANA

Supreme Court No. DA 09-0048

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STATE OF MONTANA,

Plaintiff and Appellee,

v.

NICOLE CANDICE GUILL,

Defendant and Appellant.

FILED

JAN 07 2010

*Ed Smith*  
CLERK OF THE SUPREME COURT  
STATE OF MONTANA

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MOTION FOR EXTENSION OF TIME

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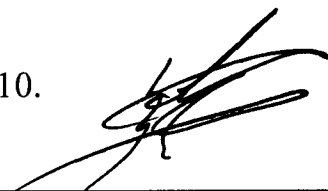
Comes now, Colin M. Stephens, appointed counsel for the Appellant to hereby respectfully request this Court grant him a sixty day (60) continuance to prepare the Appellant's Opening Brief in this Matter. While this is not the first request for an extension in this matter, it is the first requested by Mr. Stephens after having been appointed by the Office of the Appellate Defender.

I am making this request because of the size of the Appellant's file and I am currently unsure whether I have all copies of the Transcript. *See Affidavit.*

Currently the Appellant's Opening Brief is due on January 12, 2010. I am requesting a sixty (60) day continuance which would make the Appellant's Opening Brief due on March 13, 2010.

Counsel for the State has been contacted regarding this request and has no objection.

Respectfully submitted this 6th day of January, 2010.



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Colin M. Stephens  
SMITH & STEPHENS, P.C.  
Attorney for Mrs. Guill

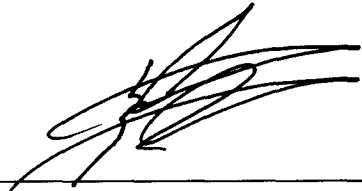
## **CERTIFICATE OF SERVICE**

I, Colin M. Stephens, do hereby certify that I mailed or cause to have mailed this Motion for Extension of Time and accompanying Affidavit of Colin M. Stephens to the following:

Mark Mattioli  
Assistant Attorney General  
Montana Attorney General's Office  
P.O. Box 201401  
Helena, MT 59620

Colleen Magera  
Sanders County Attorney  
Sanders County Attorney's Office  
P.O. Box 519  
Thompson Falls, MT 59873

Dated this 6th day of January, 2010.



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Colin M. Stephens  
SMITH & STEPHENS, P.C.  
Attorney for Mrs. Guill